

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District - Departmental Proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal), Rules, 1991 – Articles Of Charge – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG. II) DEPARTMENT

G.O. Rt. No. 830

Dt:18 -05-2013

Read:-

(1) Govt. Memo. No. 19064/Vig.II/A1/2012-1 PR & RD Dept., Dt. 20.04.2011

(2) From the ENC, PR, Lr. No. Vig. I (1)/3509/2011, Dt. 21.02.2013

O R D E R:

It is proposed to hold an inquiry against Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Articles of charges are proposed to be sustained, are also enclosed (Annexure-II and Annexure-III).

3. Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District is directed to submit within 10 days from the receipt of this order, a written statement of his defence.

4. Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District is informed that an inquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex parte.

6. Attention of Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri B. Krishna Murthy, Assistant Engineer, PR, PIU, Ponduru, Srikakulam District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Encl: Annexure I to III

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVT (PR)

To

(4) Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District
through the Engineer-in-Chief (PR), Hyderabad.

(2) The Engineer-in-Chief(PR), Hyderabad – with a request to serve the memo., to the individual and return the dated acknowledgment copy to Govt.

(3) Copy to Estt-III Section for information

(4) Copy to PS to Minister (PR&RWS)/P.S. to Prl. Secy (PR)

(5) SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – I
STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B. APPALA NAIDU, EE,
PIU, SRIKAKULAM

Article:

That the said Sri B. Appala Naidu, Executive Engineer, PIU, Srikakulam District has committed certain irregularities in execution of work construction of bridge in Jalamuru (M), Srikakulam district, as he was responsible for (1) Grounding the work without approval of designs and allowing payment, (2) allowing execution and payments for the work which was executed after the lapse of agreement period without approval of EOAT, (3) allowing payment without insisting on QC certificate which caused irregular payment for the defective work executed, (4) allowing excess quantity of steel than the approved designs, (5) for allowing defective concrete work, (6) for not super checking the work, (7) improper planning and preparation of estimates leading to incomplete work with the result the bridge was not put to use.

Basis of the Charge:-

The V&E officials have inspected the work on the allegation of irregularities in construction of bridge in Jalamuru (M), Srikakulam district and made the following findings.

Findings of the V&E:

1. The agreement for the work was concluded on 30.06.2008 and the hydraulic particulars were approved on 16.02.2009 (after 8.5 months). Designs were approved on 20.02.2009. The period of completion of the work is 9 months and the field officers who are located in the same district could not finalise the designs for 8.5 months which amply proves the negligent attitude in finalizing the proposals.
2. The fact that the designs are approved on 20.02.2009 and the work of leveling coarse under raft and reinforcement for raft were recorded on 30.12.2008 proves that the work was executed prior to date of approval of designs. The DEE in his version accepted the same. Hence, allegation of execution of work without obtaining approval for designs including vent way calculations and foundations is substantiated.
3. An excess quantity of 1.1 MT of steel was used when checked with the approved designs which is due to execution without approved drawings which is accepted by the DEE. Hence the allegation regarding excess usage of steel without approval is established.
4. The designs for the work were approved on 20.02.2009 and the work is reported to be completed on 28.03.2009 i.e., within the agreement period (as per basic data sheet given by field officers annexed as annexure-A13). This clearly shows that the work is executed beyond agreement period and recorded within the agreement period to avoid the EOAT. It is not known what prompted the field officers to act like this as the contractor is legitimately eligible for EOAT as designs are delayed.
5. The analysis of test results conducted on cores extracted from hardened concrete of deck slab and abutment reveals that the compressive strengths are much below the required standards and are liable for rejection. The rejected value of work is Rs. 3,72,170/- (Annexure-A12).
6. Even though Rs. 20.00 lakhs was spent on the bridge, there is no end to the suffering of people as there are no approaches to the bridge, with the result that the bridge was not put to use. This is solely because of improper planning and preparation of estimates by the field officers resulting in wasteful expenditure. Hence the allegation that the non-completion of work has resulted in wastage of funds is established.
7. The Executive Engineer has not super checked the work. He also made the final payments without inspection by quality control staff and their certification. In view of above, all the allegations made in the petition are substantiated.

Therefore, Sri B. Appala Naidu, Executive Engineer has failed to discharge his legitimate duties properly and executed substandard work. Thus his action is in violation of APCS (Conduct) Rules, 1964.

Hence, this Charge.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVT (PR)

SECTION OFFICER

ANNEXURE – II
LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI
B. APPALA NAIDU, EE, PIU, SRIKAKULAM ARE PROPOSED TO BE SUSTAINED

Vigilance Report No. 156 (619/V&E/E1/2010), Dated. 31.12.2010

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVT (PR)

SECTION OFFICER

ANNEXURE-III
LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI B.
APPALA NAIDU, EE, PIU, SRIKAKULAM ARE PROPOSED TO BE SUSTAINED

-- NIL—

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVT (PR)

SECTION OFFICER